

74-0005
OGC 73-2317
74-156
20 December 1973

OGC REVIEW COMPLETED

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : CIA Adoption of Statutory Claims Authority

1. Action Requested. It is requested that the Director, by signature to this paper, adopt statutory authority to settle certain employee claims in the amount of \$10,000.

2. Background Data. By statute (31 U. S. C. 241(b)(1)(A)), government departments are authorized to settle claims up to \$6,500 presented by employees to compensate for loss or damage to personal property incident to their service. By amendment to that provision, the Defense Department and the military departments, the Department of State, AID, USIA, U. S. Arms Control and Disarmament Agency, ACTION and OPIC, may settle such claims up to \$10,000. Under the amendment, claims approved up to the \$6,500 limitation established by the original law (August 31, 1964) may be resubmitted and approved in amounts up to \$10,000. Legislation is now pending which would raise the limit for all government departments to \$12,000.

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4. A claim by a CIA employee of some \$11,700 has now been presented which, except for the amount, could be approved under 31 U. S. C. 241 (b)(1)(A). The CIA Claims Review Board and the DD/M&S in fact have approved it in the amount of \$6,500, the maximum within their authority. It is believed the interests of the Agency and its employees would be served by the establishment of authority permitting the Agency to settle claims up to \$10,000 in amount.

5. Staff Position. The Office of Personnel and Office of Finance have concurred.

6. Action Recommended. It is recommended that you approve the adoption of the authority now available to the military, the State Department and certain other agencies having overseas responsibilities (Section 106 of P. L. 92-352) for application by this Agency with respect to claims of its employees. Specifically, Section 106 raises the maximum to \$10,000 and permits claims settled under the \$6,500 limitation to be resubmitted for settlement in amounts not exceeding \$10,000.

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Associate General Counsel

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APPROVED:

9 JAN 1974

DISAPPROVED: _____